

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Final Office Action dated November 24, 2009. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-11 are pending in the Application. Claims 1 and 11 are independent claims.

The Applicants have elected to amend claims 1 and 11 to clarify that which is recited in the claims. The amendments to claims 1 and 11 are not intended to narrow the scope of the prior claim and are merely submitted to further prosecution of this matter and to either promote allowance of the claims or at least, reduce pending issues and place claims 1-11 into a better condition for appeal. Accordingly, consideration and entrance of the amendment to claim 1 is respectfully requested.

In the Office Action, claims 1-11 are rejected under 35 U.S.C. §102(e) over U.S. Patent Publication No. 2003/0137521 to Zehner ("Zehner"). These rejections are respectfully traversed. It is respectfully submitted that claims 1-11 are allowable over Zehner for at least the following reasons.

The Office Action relies on Zehner, paragraph 195, lines 10-13 for teaching "two drive schemes" and on Zehner, paragraph 196, lines 10-13 and 33-42 for teaching transition signals (see, Final Office Action, pages 3 and 8). This interpretation of Zehner is respectfully traversed.

In particular, Zehner, paragraph 196, lines 10-13 states that "any sequence of transitions beginning and ending in one extreme optical state (black or white) of a pixel should be DC balanced." Zehner, paragraph 196, lines 33-42 discuss driving pixels from a white or gray state to a black state and states that one of the multiple stored impulses stored for the white/grey to black transition may be chosen to reduce a register that stores "an algebraic sum of the impulses applied to the pixel" (see, Zehner, paragraph 196, lines 29-31). So while Zehner utilizes a stored sequence of transitions to determine the signal to be applied when making a white/grey to black transition, Zehner does not apply a transition drive signal that is separate from signals applied during either of said monochrome drive scheme and said grayscale drive scheme. Zehner makes a determination of what pulses to apply based on an algebraic sum of the impulses applied to the pixel with the result of the applied pulses being the black pixel state.

The Final Office Action cites Zehner, paragraph 195, lines 5-10 for showing a separate monochrome and grayscale drive scheme, however, it is respectfully submitted that reliance on this portion of Zehner is misplaced. Zehner, paragraph 195, lines 5-10 states that "[t]he maximum time taken for rewriting such monochrome areas is only one-half of the maximum time for rewriting areas which require gray to gray transitions, and this feature can be used to advantage for rapid updating of image features such as characters input by a user, drop-down menus etc." As is clear from a simple reading of the cited section of Zehner, this section merely recognizes that areas that have a grey to grey transition takes twice as long as required for writing an area that has a monochrome transition.

Clearly Zehner in the cited section does not teach, disclose or suggest a grayscale drive scheme that provides drive signals for the two extreme optical states that are different than a monochrome drive scheme for the same two extreme optical states as substantially recited in each of claims 1 and 11.

There is no discussion in the referenced paragraphs or elsewhere in Zehner of a transition drive signal that is separate from the signals applied during the grayscale drive scheme and the

monochrome drive scheme. Zehner merely modulates the applied signal when making a white/grey to black transition (see, Zehner, paragraph 196, lines 17-26).

It is respectfully submitted that the electrophoretic display of claim 1 is not anticipated or made obvious by the teachings of Zehner. For example, Zehner does not teach, disclose or suggest, an electrophoretic display that amongst other patentable elements, comprises (illustrative emphasis added) "wherein said drive unit is operative to apply a transition drive signal when switching from said grayscale drive scheme to said monochrome drive scheme, said transition drive signal being separate from signals applied during either of said monochrome drive scheme and said grayscale drive scheme and being arranged to counteract the build-up of remnant DC voltage in the pixel cell" as recited in claim 1, and as similarly recited in claim 11.

Based on the foregoing, the Applicants respectfully submit that independent claims 1 and 11 are patentable over Zehner and notice to this effect is earnestly solicited. Claims 2-10 respectively depend from claim 1 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims.

For example, Zehner does not teach, disclose or suggest, an electrophoretic display that amongst other patentable elements, comprises (illustrative emphasis added) "said transition drive signal is a drive signal in the grayscale drive scheme that corresponds to a one of the two extreme optical pixel states of the monochrome drive scheme that would have immediately followed said transition drive signal and that replaces the one of the two extreme optical pixel states of the monochrome drive scheme that would have immediately followed said transition drive signal" as recited in claim 5.

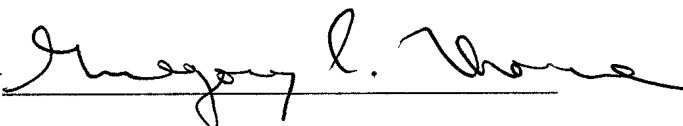
While the Final Office Action again cites Zehner, paragraph 196, lines 10-13 and 33-42 which are discussed in detail above, it is respectfully submitted that reliance on these sections of Zehner, or any sections of Zehner is misplaced. Clearly these sections of Zehner do not teach, disclose or suggest that the transition signal replaces the next monochrome extreme optical state that would have followed the transition signal and that the transition signal is a signal in the grayscale drive scheme that corresponds to that next monochrome extreme optical state.

Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position, or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

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